

**JOINT MEETING OF THE
NEW SHOREHAM SEWER AND WATER COMMISSION**

Monday February 22, 2016 at 3:00pm

Town Hall, Old Town Rd, Block Island

PRESENT were SEWER Commission members: Peter McNerney (Chair), Steve Draper (Vice-Chair), Martha Ball, Brad Marthens [arrived at 03:08pm] and Tom Doyle

PRESENT were WATER Commission members: Brad Marthens (Chair) [arrived at 03:08pm], Tom Doyle (Vice-Chair), Martha Ball, Steve Draper and Peter McNerney

ABSENT were Commission members: Terri Chmiel and Kathy Szabo

ALSO PRESENT were: Sewer Superintendent Chris Blane, Water Superintendent John Breunig, Legal Counsel David Petrarca and Administrative Assistant Kara Stinnett.

With a quorum present the meeting was called to order at 3:02 p.m. by P. McNerney.

WATER AND SEWER DISTRICT

1. Discussion and potential action regarding the open and closed session minutes of January 19th, 2016 monthly meeting.

MOTION was made by P. McNerney to approve both the open and closed minutes of the January 19th, 2016 meeting. Motion seconded by S. Draper.

**Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0
Abstain: 0**

2. Update on Ocean Ave/Center Rd/Beach Ave project survey letters.

P. McNerney wanted to verify whether the survey was sewer and water. J. Breunig stated that one survey was sent out to both potential sewer and water customers. The two GIS maps included have separate Sewer and Water results. The potential revenue sheet was based on just water numbers and the Water Companies current rates. It was suggested that the results be published in the newspaper. Unfortunately, 38% said no for sewer and 35% said no for water. P. McNerney suggested putting the results into the newspaper for people to see, so they know that the Commission is looking into expansion and into helping people who may need these utilities. C. Blane suggested having it in the Comprehension Plan for the town; M. Ball stated maybe we should give it to the Planning Board.

3. Discussion and potential action regarding Financials and Aging.
Finance Director Land was absent for the meeting. J. Breunig and K. Stinnett stated that most accounts were either caught up or set up on a payment plan.

4. Operations Report.

J. Breunig stated that there have been many freeze ups and flows are just getting back to normal. He also stated that he had been working with N. Dodge to put a possible bottle fill station at the Solviken property. This should turn out to be a nice addition to the customer base.

5. The New Shoreham Sewer Commission and New Shoreham Water Commission may vote to move into Executive Session pursuant to RIGL §42-46-5(a)(1)and/or(2) Personnel (Superintendent Contract).

The Commission and Superintendent J. Breunig opted to remain in open session.

6. Discussion and/or potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning proposed water superintendent contract.

Superintendent J. Breunig's contract states that if changes are to be made notice shall be given by March 17th, 2016. Breunig's contract is up in June. Breunig stated he has some minor changes that he would like to see, and will work with Legal counsel as well, and bring these suggestions to next month's meeting. Commission agreed that would be acceptable. S. Draper noted he may have one minor change he would like to address at that time as well.

13. The New Shoreham Sewer Commission and New Shoreham Water Commission may vote to move into Executive Session pursuant to RIGL §42-46-5(a)(1)and/or(2) Personnel (Superintendent Contract).

The Commission and Superintendent C. Blane opted to remain in

open session.

14. Discussion and/or potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning proposed sewer superintendent contract.

Superintendent C. Blane's contract states that if changes are to be made notice shall be given by March 17th, 2016. Blane's contract will be up in April. Blane stated he has some minor changes that he would like to see, which were attached to his letter in this month's packet. He will work with Legal Counsel to make these changes and present them to the commission at next month's meeting. Commission agreed that would be acceptable.

7. Discussion and potential action regarding Financials and Aging. Finance Director Land was absent for the meeting. J. Breunig and K. Stinnett stated that most accounts were caught up or set up on a payment plan.

8. Operations Report.

Superintendent C. Blane stated the ammonia levels were undetectable this month, which is outstanding. K Electric was out to work on and finish the generator connections for the pump stations. With the storm on January 23rd, C. Blane wanted to commend his crew for their hard work.

9. Discussion and/or potential action regarding lease of Apartment # 2 to Town employee.

A letter sent to N. Dodge from Mona Helterline was presented to the board, with her interest in the apartment. As there are no Sewer or Water employees in need of the apartment, the next step is to see if

any town employees would be interested. Mona Helterline was the only one on the list at this time. It was discussed as to what to charge for rent; \$850 was agreed upon, with a security deposit of \$850. The move in date would be for April 1st 2016. If at any time a sewer employee were in need of the apartment she would have to vacate the premises but would be given adequate time to do so.

10. Discussion and potential action regarding the manhole cover update.

P. McNerney spoke with J. Geremia and he is writing another letter to DOT stating we need to set a solid date in March to have these issues fixed. McNerney feels that we need to file a suit against DOT for failure to perform or to respond to our correspondences. D. Petrarca stated it is getting to that point and a Declaratory Judgement Action would be what we would want to file, this would ask the court to order DOT to fix the problem. This possible course of action needs to be part of J. Geremia's letter, whether it is in his letter or a cover letter added to his letter, so they know this is our next step. P. McNerney stated that with all the correspondence we have already had with Cardi and DOT, and has been ignored, he doesn't feel anything more that we write is going to be earth shaking enough to change their minds. McNerney also feels contacting channel 10 about the issue would be a good starting point. Both B. Marthens and S. Draper agree that litigation and Channel 10 are good plans. S. Draper said that more importantly it lets them know that we are not going to sit back and take shoddy work. It was discussed with N. Dodge about

these two options as the next steps and she feels that someone representing the Commission should come to the next Council meeting and discuss these possibilities and get their opinion on both options.

MOTION made by P. McNerney, to direct legal counsel to explore a potential suit in conjunction with the town, to look into who would be responsible for the suit, the Town of New Shoreham or the Sewer Commission, and to contact the Town Council so we can be added to the next month's agenda to discuss our options. Motion Seconded by S. Draper.

**Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0
Abstain: 0**

11. The New Shoreham Sewer Commission and New Shoreham Water Commission may vote to move into Executive Session pursuant to RIGL §42-46-5(a)(2) (Potential Litigation regarding emergency septage pumping/hauling invoice from Robert Brown Septic Service). MOTION made by P. McNerney, Session pursuant to RIGL §42-46-5(a)(2)) that this public body convene in executive session in order to discuss Potential Litigation regarding emergency septage pumping/hauling invoice from Robert Brown Septic Service. Motion seconded by T. Doyle.

**Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0
Abstain: 0**

Meeting convened into Closed Session at 3:57 p.m.

The Meeting reconvened into Open Session and called to order by P. McNerney at 04:32 p.m.

MOTION made by P. McNerney to seal the minutes of the executive session. Motion seconded by T. Doyle.

**Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0
Abstain: 0**

12. Discussion and/or potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning emergency septage pumping/hauling invoice from Robert Brown Septic Service and/or possible future mitigation measures for emergency septage pumping.

MOTION made by P. McNerney to pay the total amount of R. Brown Septic's bill in the amount of \$10,400. Motion seconded by B. Marthens.

**Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0
Abstain: 0**

MOTION made by B. Marthens to have P. McNerney and C. Blane look into buying a truck for the next fiscal year. Motion seconded by P. McNerney.

Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0

Abstain: 0

ANNOUNCEMENTS AND OPEN FORUM.

11. Commissioners Announcements.

12. Public Comments for items on the agenda.

J. Breunig stated that he and C. Blane met with the guys from Lynch who will be starting the project to dig for the cable and that they will keep in contact with them as the project develops.

13. Adjournment.

MOTION was made by P. McNerney to adjourn the meeting at 04:40 p.m. Motion seconded by T. Chmiel.

Ayes: 5 (McNerney, Draper, Ball, Marthens and Doyle) Nays: 0

Abstain: 0

Respectfully Submitted,

Kara Stinnett

ACCEPTED: 03/24/16

The New Shoreham Sewer and Water Districts are an equal opportunity provider and employer

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send you completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.